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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 ROBERT GODINEZ,
15 Defendant.

CASE NO. 2:23-CR-00161-DAD
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: February 13, 2024
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

18 **STIPULATION**

19 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
20 through defendant's counsel of record, hereby stipulate as follows:

- 21 1. By previous order, this matter was set for status on February 13, 2024. ECF No. 19.
- 22 2. By this stipulation, defendant now moves to continue the status conference until April 16,
23 2024, and to exclude time between February 13, 2024, and April 16, 2024, under Local Code T4.
- 24 3. The parties agree and stipulate, and request that the Court find the following:
 - 25 a) The government has represented that the discovery associated with this case
includes over 70 gigabytes of evidence in electronic form, including criminal history documents,
26 phone intercepts and other evidence from multiple Title III wiretaps, and search warrants. Much
27 of this discovery is in the Spanish language.

1 b) Counsel for defendant desires additional time to consult with his client, review the
2 current charges, to conduct research and investigation related to the charges, to review and copy
3 discovery for this matter, to discuss potential resolutions with his client, to prepare pretrial
4 motions, and to otherwise prepare for trial. Additionally, counsel for the defendant has
5 expressed he needs additional time because he is working on several homicide cases and has
6 another trial scheduled for April 2, 2024.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny him the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of February 13, 2024 to April 16,
16 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
17 T4] because it results from a continuance granted by the Court at defendant's request on the basis
18 of the Court's finding that the ends of justice served by taking such action outweigh the best
19 interest of the public and the defendant in a speedy trial.

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1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

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7 Dated: February 7, 2024

PHILLIP A. TALBERT
United States Attorney

9 _____
10 /s/ ADRIAN T. KINSELLA
11 ADRIAN T. KINSELLA
12 Dated: February 7, 2024 _____
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14 JESSE J. GARCIA
15 Counsel for Defendant
16 Robert Godinez

17 **ORDER**

18 Pursuant to the stipulation of the parties and good cause appearing, the status conference
19 previously scheduled for February 13, 2024, is continued to April 16, 2024, at 9:30 a.m. and time is
20 excluded between February 13, 2024, and April 16, 2024, under Local Code T4.

21 IT IS SO ORDERED.

22 Dated: February 8, 2024

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24 DALE A. DROZD
25 UNITED STATES DISTRICT JUDGE